

REMARKS

Applicants have studied the Office Action dated March 7, 2007. Claims 1-21 are pending. Claims 1, 10 and 18 have been amended. Claims 1, 10, 18 and 21 are independent claims. No new matter has been added as the amendments have support in the specification as originally filed.

It is submitted that the application, as amended, is in condition for allowance. Reconsideration and reexamination are respectfully requested.

§ 103 Rejections

Claims 1 – 4, 6 – 18 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kishi et al. ("Kishi" U.S. Pat. No. 5,687,083) in view of [Nanba] et al. ("Nanba" U.S. Pat. No. 5,739,772). Applicant respectfully disagrees with the Examiner's interpretation of Nanba and respectfully traverses the rejection.

It is respectfully noted that independent claim 1, 10 and 18 have been amended with this paper, in the interest of furthering allowance, to more clearly disclose the invention by reciting the shape of the turn guide arrow corresponds to a specific calculated angle between the approach road and one of the plurality of departing roads. It is respectfully submitted that independent claim 21 already clearly discloses the invention by reciting rotating the upper body and the head according to the calculated rotation angle.

It is respectfully noted that the Federal Circuit has provided that an Examiner must establish a case of prima facie obviousness. Otherwise the rejection is incorrect and must be overturned. As the court stated in In re Rijkaert, 28 USPQ2d 1955, 1956 (Fed. Cir. 1993):

"In rejecting claims under 35 U.S.C. § 103, the examiner bears the initial burden of presenting a prima facie case of obviousness. Only if that burden is met, does the burden of coming forward with evidence or argument shift to the applicant. 'A prima facie case of obviousness is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill

in the art.’ If the examiner fails to establish a prima facie case, the rejection is improper and will be overturned.” (citations omitted.)

It is respectfully noted that the Examiner indicates with respect to the rejection of independent claim 10, at paragraph 5 on pg. 3 of the Office Action, “Kishi et al. do not explicitly disclose the shape of the turn guide arrow corresponds to an angle between the approach road and one of the plurality of departing road[s]” and asserts that FIG. 14 of Nanba discloses this limitation. It is further respectfully noted that the Examiner asserts, at paragraphs 8, 9 and 10 on pg. 4 of the Office Action, that the rejection of independent claims 1, 18 and 21 are based on the same assertions as those with respect to independent claim 10.

Examiner’s Response to Previous Arguments Put Forth

In the Office Action, at paragraph 15 on page 5, the Examiner responds to the arguments put forth in the February 21, 2007 response to the previous Final Office Action mailed on November 21, 2006 by essentially re-stating the response from the previous Final Office Action. Applicant respectfully notes that the Examiner has not addressed the specific arguments put forth in the previous response.

As was done in the previous response, it is respectfully submitted that, although FIG. 14 of Nanba appears to show a turn guide arrow whose shape corresponds to an angle between the approach road and one of the plurality of departing roads, the disclosure in Nanba with respect to FIG. 14 and other related disclosure are contrary to the Examiner’s interpretation of FIG. 14. It is respectfully requested that the Examiner address the following arguments.

It is respectfully noted that “[t]he drawings must be evaluated for what they reasonably disclose and suggest to one of ordinary skill in the art” and “[w]hen a reference does not disclose that the drawings are to scale and is silent as to dimensions, arguments based on measurement of the drawing features are of little value.” M.P.E.P. § 2125. It is further respectfully noted that the Examiner has not cited any disclosure in the text of the Nanba specification to support the assertion that FIG. 14 discloses the shape of the turn guide arrow corresponds to an angle between the approach road and one of the plurality of departing roads, as recited in independent claims 1, 10 and 18, or

rotating the upper body and the head according to the calculated rotation angle, as recited in independent claim 21. Moreover, it is respectfully submitted that the Examiner has chosen to interpret FIG. 14 without reference to the disclosure in Nanba with respect to FIG. 14 and other related disclosure.

Applicant respectfully submits that, in view of the disclosure in Nanba, one of ordinary skill in the art would **not** be motivated to interpret FIG. 14 of Nanba as the Examiner has and would **not** modify the Kishi invention such that the shape of the turn guide arrow corresponds to a specific calculated angle between the approach road and one of the plurality of departing roads, as recited in independent claims 1, 10 and 18, or rotating the upper body and the head according to the calculated rotation angle, as recited in independent claim 21.

As was previously respectfully submitted in the response to the previous Office Action, nowhere in Nanba is a calculation of any angle between an approach road and a departing road disclosed, nor is any information related to an angle between an approach road and a departing road even mentioned. As was further previously respectfully submitted in the response to the previous Office Action, Nanba does not disclose that the drawings are to scale and is silent as to dimensions.

Applicant again respectfully submits that the portions of Nanba that disclose the display of roads on a screen do not disclose that any specific angle between an approach road and a departing road is considered. Applicant again further respectfully submits that, rather than disclosing the consideration of any specific angle between an approach road and a departing road, Nanba discloses only the consideration of whether a road is in a “diagonally rightward direction” or a “diagonally leftward direction.”

The Examiner’s attention is again respectfully directed to col. 4, ll. 21-30 and col. 5, ll. 11-23, 30-41 and 58-67 as well as FIG. 4(E). It is again respectfully noted that Nanba discloses the display of roads on a map according to “the destination direction data (FIG. 4(E)).” It is again further respectfully noted that the “the destination direction data” in “FIG. 4(E)” indicates only whether a road is “Straight ahead,” in a “Rightward direction,” in a “Diagonally rightward direction,” in a “Leftward direction” or in a “Diagonally leftward direction.”

It is respectfully noted that Nanba discloses the following, at col. 7, ll. 35-44, with respect to the method disclosed in FIG. 13 for drawing the arrows in FIG. 14 that the Examiner asserts as the motivation for one of ordinary skill in art to modify the Kishi invention:

*"This arrow mark is drawn along the leading route. If in step S33 there are two or more guide branch points in the arrow mark thus drawn, the advancing direction guidance information is divided and is drawn separately. Specifically, coordinates of the middle point between the guide branch points are obtained in step S34, and **heading is acquired from the destination direction data (Fig. 4(E)) of the destination data shown in FIG. 4(D), and the arrow mark is drawn in step S35 at the middle point.**"* (emphasis added).

It is respectfully submitted that the "destination direction data" that is acquired in "step S34" and used to draw the arrow in "step S35" is, as previously noted, not related to a specific calculated angle between the approach road and one of the plurality of departing roads or a calculated rotation angle, but rather indicates only whether a road is "Straight ahead," in a "Rightward direction," in a "Diagonally rightward direction," in a "Leftward direction" or in a "Diagonally leftward direction." It is further respectfully submitted that the angle between the approach road and one of the plurality of departing roads that would result from the modification of Kishi by the teachings of Nanba would only represent one of an angle in a "Rightward direction," an angle in a "Diagonally rightward direction," an angle in a "Leftward direction" or an angle in a "Diagonally leftward direction."

Therefore, it is again respectfully submitted that, in view of the disclosure in Nanba with respect to displaying roads on a map, one of ordinary skill in the art would interpret FIG. 14 as indicating that the "white/highlight road with the arrow showing the direction" as a "departure road" that is in a "Diagonally rightward direction" as opposed to indicating any specific angle between "the approaching road [which] is the white/highlight road with letter A" and "the departing road [which] is the white/highlight road with the arrow showing the direction." It is, therefore, again further respectfully submitted that FIG. 14 of Nanba, in the absence of any disclosure of any specific angle between an approach road and a departing road or of any calculated rotation angle,

would **not** motivate one of ordinary skill in the art to modify the Kishi invention such that the shape of the turn guide arrow corresponds to a specific calculated angle between the approach road and one of the plurality of departing roads, as recited in independent claims 1, 10 and 18, or rotating the upper body and the head according to the calculated rotation angle, as recited in independent claim 21. Moreover, it is again further respectfully submitted that the Examiner has failed to establish the required case of prima facie obviousness with respect to independent claims 1, 10, 18 and 21.

Therefore, it is respectfully asserted that independent claims 1, 10, 18 and 21 are allowable over the cited combination of references. It is further respectfully asserted that claims 2-4 and 6-9, which depend from claim 1, and claims 11-17, which depend from claim 10, also are allowable over the cited combination of references.

Claims 5, 19 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kishi and Nanba and further in view of Hulverscheidt et al. ("Hulverscheidt" U.S. Pat. No. 6,762,696). Applicant respectfully traverses the rejection.

It is respectfully submitted that Hulverscheidt fails to cure the deficiencies of Kishi and Nanba with respect to the shape of the turn guide arrow corresponds to a specific calculated angle between the approach road and one of the plurality of departing roads. Therefore, it is respectfully asserted that independent claims 1 and 18 are allowable over the cited references. It is further respectfully asserted that claim 5, which depends from claim 1, and claims 19 and 20, which depend from claim 18, also are allowable over the cited combination of references.

VERIFIED

CONCLUSION

In light of the above remarks, Applicant submits that claims 1- 21 of the present application are in condition for allowance. Withdrawal of the finality of the present Office Action and reexamination and reconsideration of the application are requested.

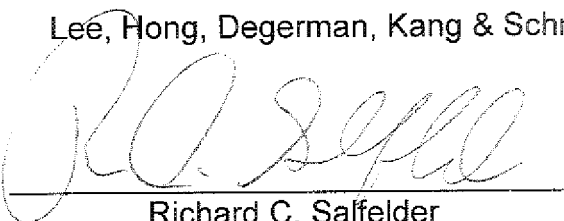
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

Lee, Hong, Degerman, Kang & Schmadeka

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